

## **REMARKS**

### **Summary of the Office Action**

- FIGS. 3A, 3B and 4 are objected to because the text fields are not properly labeled to show what is described in the Specification.
- The Title is objected to as not descriptive. The examiner suggests the title “System and Method for Interactive Television with a Television and a Computer.”
- Claim 8 is objected to because of informalities.
- Claims 3, 17 and 19 are rejected under 35 USC 112 for failing to distinctly claim the subject matter of the invention.
- Claims 1-20 are rejected under 35 USC 102(e) as being anticipated by U.S. Patent No. 6,349,410 (“Lortz”).

### **Objection to Drawings:**

New figures have been provided.

### **Objection to Title**

Applicant has amended the Title.

### **Objection to Claim 8**

Applicant submits the objection is moot in view of the substantive amendment.

### **Rejection of Claims 3, 17 and 19**

Applicant submits the rejections are moot in view of the amendments.

Rejection Under 35 U.S.C. Section 102(e)

Among the pertinent disclosure of Lortz is the use of a “web pad” having a display and Internet connectivity. The web pad described in Lortz enables viewing of web content, and remote control functionality with a television or set-top box. Lortz recites “TV content may be transmitted to the web pad via a bi-directional radio frequency link.” [column 5, lines 48-50] Further, Lortz states “the web content specified by these URLs may be received via the set top box or through another communication channel to web pad such as separate cellular telephone/modem connection to the Internet, or RF based home network which is coupled to the Internet.” [column 5, lines 52-56]

Applicant submits the claims presented are distinguishable from Lortz. With regard to Claim 1, a method is recited in which a user can operate a palmtop computer to communicate a command. This command is communicated from the palmtop computer as a signal over a network, and used to change the state of the device. The result is that the device interfaces with the palmtop computer over a network.

Lortz discloses a point-to-point communication from the web pad (i.e. the palmtop computer) to the television, and not a network communication. If anything, Lortz teaches away from Claim 1 because it specifically recites a point-to-point RF link, and not a network link between the palmtop computer and the device that is having its state changed. Note that reference in Lortz to the web pad’s Internet functionality is not related to its communication with the television/set-top box (e.g. see Column 5, line 55“*separate cellular telephone/modem connection to the Internet*”).

In addition, Claim 1 provides for the remote computer to communicate with multiple devices, not just, for example, a television. In Lortz, the web pad communicates like a traditional remote with just the television, or with the Internet independent of the television [column 5, line 52-57].

Claim 2 recites various devices that can receive the command from the palmtop computer. Claims 3-6 depend from Claim 1, and Applicant submits these claims are distinguishable from Lortz for reasons set forth above.

With regard to Claim 7, note it recites “wherein the receiver is interconnected to the palmtop computer through the network to receive the signal transmitted by the palmtop computer”. As mentioned above, Lortz does not teach use of a network connection, let alone communications between the palmtop computer and the set top box. Rather, Lortz teaches away from this feature.

Likewise, Claim 8 recites “transmitting an interactive content from the television signal to a palmtop computer using a network.” While Lortz discloses [column 5, line 52-57] that the web pad may receive interactive content from a network such as the Internet, the interactive content is not communicated from the television signal itself using a network.

Independent Claim 15 recites in part “transmitting at least a portion of the interactive component to a palmtop computer using a network”.

New independent claim 30 recites, “receiving input from a network corresponding to a user manipulating a palmtop computer that is in wireless communication with the network”. As indicated above, Lortz does not teach a palmtop computer that can be used to send network communications that are interactive to content being displayed. Lortz teaches point to point communication between the web pad and the display device. For example, see column 6, “display 22 may be treated as a slave video output for the web pad.”

Likewise, with Claim 40, the receiver communicates “at least a portion of the television signal to the palmtop computer *using the network*.”

With regard to dependent claims recited above, it is submitted

Support for amended claims and new claims:

With regard to support for amendment to Claim 1, paragraph 0010 supports “connected satellite device”; the Abstract shows use of the “command”; and paragraph 0007 supports use of palmtop computer. Note “Microsoft Pocket PC” refers to the name of an operating system.

Support for amendment to Claim 2 can be found on paragraph 0009 and 0010.

Support for amendment to Claim 3 can be found on paragraph 0009.

Claim 4 uses subject matter from original claim 4 and from claim 1. Support for wireless transmission can be found on paragraph 0020.

Support for amendment to Claim 5 can be found on paragraph 22.

Support for the amendment to Claim 6 can be found on paragraph 22.

Support for amendment to Claim 7 can be found on paragraph 0007 (palmtop computer, multimedia content, receiver), paragraph 0022 (digital cable), paragraph 8 (broadcast television signal), paragraph 0020 and 0023 for network connectivity of palmtop computer. The display device may correspond to “television 110”, and paragraph 0022 supports palmtop computer sending commands to the television.

Support for amendment to Claim 9 can be found on paragraph 0007 and original claim 9.

Support for amendment to Claim 8 and 10 included on paragraph 0007, original claim 8, and paragraph 18.

Support for amendment to Claim 11 and 12 includes original Claims 11 and 12.

Support for amendment to Claim 15 can be found on paragraph 0007, and paragraph 20.

Support for amendment to Claim 16 includes paragraph 0022.

Support for amendment to Claim 17 may be found on paragraph 0029.

Support for new claim 21 can be found on paragraph 0010 and 0026.

Support for new claim 22 can be found on paragraph 0009.

Support for new claim 23 and 24 may be found on paragraph 0022 and 0023.

Support for new claim 25 may be found on paragraph 0029.

Support for new claim 26-29 may be found on paragraph 0005, 0009 and paragraph 0025, 0029 and 0030.

Conclusion

A Notice of Allowance is requested, based on the remarks and amendments provided with this paper. If the Examiner believes a telephone interview would expedite the prosecution of this application, the Examiner is invited to call Applicant's attorney at (408) 551-6632.

If there are any additional charges, please charge them to Deposit Account No. 50-1914. No new matter is being provided with this amendment.

Respectfully submitted,

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